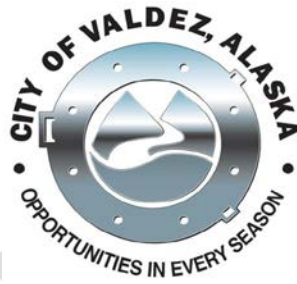


# City of Valdez

212 Chenega Ave.  
Valdez, AK 99686



## Meeting Minutes - Draft

Wednesday, February 26, 2020

7:00 PM

Regular Meeting

Council Chambers

## Planning and Zoning Commission

**REGULAR AGENDA - 7:00 PM****I. CALL TO ORDER**

Chair Gondek called the meeting to order at 7:00 p.m. in Valdez City Council Chambers.

**II. ROLL CALL**

Present: 5 – Commissioner Jess Gondek  
Commissioner Don Haase  
Commissioner Brandon Reese  
Commissioner Rhonda Wade  
Commissioner Harold Blehm

Excused: 1 - Commissioner Steve Goudreau

Absent: 1 - Commissioner Roger Kipar

Also Present: 3 Director, Kate Huber  
Senior Planner, Paul Nylund  
Administrative Assistant, Danae Gilfillan

**III. APPROVAL OF MINUTES****1. Planning and Zoning Regular Meeting Minutes of November 13, 2019**

MOTION: Commissioner Haase moved, seconded by Commissioner Reese, to approve the Planning and Zoning regular meeting minutes of November 13, 2019. The motion carried by the following vote after the following discussion occurred.

There was no discussion on the item.

VOTE ON THE MOTION:

Yays: 5 – Commissioner Gondek, Commissioner, Haase, Commissioner Reese, Commissioner Wade, & Commissioner Blehm

Excused: 1 – Commissioner Goudreau

Absent: 1 - Commissioner Kipar

**2. Planning and Zoning Regular Meeting Minutes of December 26, 2019**

MOTION: Commissioner Haase moved, seconded by Commissioner Reese, to approve the Planning and Zoning regular meeting minutes of December 26, 2019. The motion carried by the following vote after the following discussion occurred.

There was no discussion on the item.

VOTE ON THE MOTION:

Yays: 5 – Commissioner Gondek, Commissioner Haase, Commissioner

Reese, Commissioner Wade, & Commissioner Blehm

Excused: 1 – Commissioner Goudreau

Absent: 1 - Commissioner Kipar

### **3. Planning and Zoning Commission Meeting Minutes of January 8, 2020**

MOTION: Commissioner Haase moved, seconded by Commissioner Reese, to approve the Planning and Zoning meeting minutes of January 8, 2020. The motion carried by the following vote after the following discussion occurred.

Commission Blehm had a correction to his statement on page 6 of the meeting minutes, he clarified he was not asking about environmental insurance in that discussion, he was speaking of a performance bond. He added that he had not referred to Valdez Mobile Home Park at all during the discussion, and that this reference should be removed. Ms. Kate Huber, Planning Director, said staff could make those corrections.

There was no further discussion on the item.

VOTE ON THE MOTION:

Yays: 5 – Commissioner Gondek, Commissioner, Haase, Commissioner Reese, Commissioner Wade, & Commissioner Blehm

Excused: 1 – Commissioner Goudreau

Absent: 1 - Commissioner Kipar

### **IV. PUBLIC BUSINESS FROM THE FLOOR**

There was no public business from the floor.

### **V. NEW BUSINESS**

#### **1. Approval of Conditional Use Permit #20-01 Application from Valdez Petroleum Terminal for a Modification of Their Existing Conditional Use Permit for the Storage and Distribution of Hazardous, Volatile, and Flammable Materials on the Parcel at 402 W. Egan Drive (Tract I, Port Valdez Subdivision) Owned by Petro Star, Inc.**

MOTION: Commissioner Haase moved, seconded by Commissioner Reese, to approve conditional use permit #20-01 for Valdez Petroleum Terminal for a modification of their existing conditional use permit for the storage and distribution of hazardous, volatile, and flammable materials on the parcel at 402 W Egan Drive (Tract I, Port Valdez Subdivision) owned by Petro Star, Inc. The motion carried by the following vote after the following discussion occurred.

Commissioner Haase said he was in favor of approval of the item. Commissioner Reese had no comments. Commissioner Blehm said he was in favor of approval. Commissioner Wade asked if this was a modification that Petro Star was not required to do. Ms. Huber said the project was not required by the Planning Department. Chair Gondek did not have anything to add. Staff had nothing to add beyond what was included in the agenda

statement and proposed findings and conclusions. There being no further discussion, Chair Gondek invited a vote on the motion.

**VOTE ON THE MOTION:**

Yays: 5 – Commissioner Gondek, Commissioner, Haase, Commissioner Reese, Commissioner Wade, & Commissioner Blehm

Excused: 1 – Commissioner Goudreau

Absent: 1 - Commissioner Kipar

**2. Final Approval of Alaska State Land Survey #2004-6. Applicant: City of Valdez**

MOTION: Commissioner Reese moved, seconded by Commissioner Wade, to grant approval of ASLS-2004-6. The motion carried by the following vote after the following discussion occurred.

Commissioner Haase declared a potential conflict, stating that one corner of his property touched a portion of the survey. Chair Gondek asked Commissioner Haase if he stood to have any substantial financial gain from the item passing. Commissioner Haase did not. Chair Gondek said that in light of this, he thought Commissioner Haase could stay on the dais for the discussion and vote.

Commissioner Wade asked if there was a Phase I Environmental Site Assessment done by the State of Alaska. Mr. Nylund said there was not one conducted. Commissioner Wade said upstream from the property there had been a history of potential contamination. She said the City might want to know if there was ground water contamination and complete testing.

Ms. Huber said environmental assessments were part of the standard lease and land sale processes for the City, and might come later depending on what the City wanted to do with the acquired land. Said staff had been working on this municipal entitlement since 2004.

Commissioner Reese clarified that from an environmental standpoint, they were accepting the land as is.

Mr. Nylund replied yes, and clarified that the land was currently unzoned, and that there was no plan in place for the future use or disposal by the City. He said environmental assessments could be completed as the City developed a plan for use and/or disposal of the property.

Ms. Huber said this area was going to be incorporated into the Comprehensive Plan process as well.

Commissioner Blehm said he loved the area, and that it had potential to be one of the most beautiful subdivisions in Valdez.

Commissioner Wade said she knew that if she was going to purchase the property, she would want an environmental assessment done due to to

potential contamination she was aware of that had historically occurred about a mile from the property.

Commissioner Haase pointed out a typo on the plat in the spelling of Chair Gondek's name.

There being no further business, Chair Gondek invited a vote on the motion.

**VOTE ON THE MOTION:**

Yays: 5 – Commissioner Gondek, Commissioner, Haase, Commissioner Reese, Commissioner Wade, & Commissioner Blehm

Excused: 1 - Commissioner Goudreau  
Absent: 1 - Commissioner Kipar

**3. Approval of a Recommendation to Council to Dispose of Lot 4, Block 1, Robe Lake Subdivision for Public Sale by Sealed Bid.**

MOTION: Commissioner Haase moved, seconded by Commissioner Reese, to approve a recommendation to Council to dispose of Lot 4, Block 1, Robe Lake Subdivision for public sale by sealed bid. The motion carried by the following vote after the following discussion occurred.

Commissioner Haase said he was glad to see the property back in private hands.

Commissioner Wade asked what the appraisal valued the property at. Commissioner Haase said it was \$40,000. Commissioner Wade asked if they were going to be putting the sale out to sealed bid. Mr. Nylund replied they were. Commissioner Wade expressed concern that due to the location and topography, it would be an expensive endeavor to develop that property. She said that appraisal seemed quite high, and said she hoped they were not over pricing the property, and preventing bidders from being able to afford the lot, plus the cost of development.

Ms. Huber clarified that the minimum bid started at the appraised value, which was a requirement by code. Ms. Huber said if they did not receive bids through that process, then the property would go for sale over the counter, where it could be sold at the appraised value. Ms. Huber said she would have to reference the land sale code, but that typically with leases, if the city wanted to dispose of land for less than the appraised value, there had to be a public purpose reason with six councilmembers voting to approve. She said she would have to check to see if there was a similar discounting process for land sales.

Commissioner Wade said she wanted to see the property priced to sell.

Commissioner Blehm asked what the nature of the improvements were on the property. Commissioner Haase said the City had removed them all, including a collapsed mobile home.

Chair Gondek said he was glad to see the City putting the lot up for sale, rather than sitting on it. Mr. Nylund said there was some concern initially over the title being clean, so they brought it through the courts and “quieted” the title, so it could be sold. Mr. Nylund said hopefully they could sell the property at the appraised value, but that Commissioner Wade had a good point about the increased cost of development for that location.

Chair Gondek asked if something similar happened to the property on Eagle Avenue. Mr. Nylund said yes, it went out to bid twice and didn’t sell, and then went for sale over the counter sold for the appraised value.

There being no further discussion, Chair Gondek invited a vote on the motion.

**VOTE ON THE MOTION:**

Yays: 5 – Commissioner Gondek, Commissioner, Haase, Commissioner Reese, Commissioner Wade, & Commissioner Blehm

Excused: 1 – Commissioner Goudreau

Absent: 1 - Commissioner Kipar

**VI. REPORTS**

**1. 2019 Aerial Photography Project Report**

Ms. Huber said staff were happy the aerial photography project was complete, and were currently utilizing the new imagery. Ms. Huber also introduced GIS Manager, Jim Pomplun, and said that he could answer any questions the Commissioners had regarding the project. She added that staff was working on an online publically available GIS platform in 2020. Chair Gondek invited any questions, and the Commissioners had none.

**3. Planning Director’s Report**

Ms. Huber said Corvus Design was approved by Council as the contractor for the new Comprehensive Plan. She said staff was now working on the dates Corvus would be visiting town, and were looking at mid-April and May for the first two visits.

Ms. Huber added that they were working on electronic permitting, and planning to get the process started, for the busier 2020 spring and summer building season.

Ms. Huber said staff was not able to get the Planning and Zoning Commission policies and procedures change regarding the public hearing and decision being held at the same meeting in time for that agenda, but she said there would be no problem getting it on the next agenda.

**VII. COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Blehm asked if they had any work sessions coming up. Ms. Huber said there weren’t any, but there would be some as part of the Comprehensive Plan revision. Commissioner Blehm asked when they would do code revision. Ms. Huber said zoning code revision would be after the Comprehensive Plan was adopted. She said the broad land use planning would be part of the Comprehensive Plan, which

would set them up to make more specific changes to Title 17 Zoning.

Commissioner Blehm expressed concern that Valdez Municipal Code's reference to mobile homes was inaccurate, since they were now classified as manufactured homes. He added that with the change in Directors over the past three years, he thought they were at risk of collective memory of old discussions, goals, and projects being forgotten. He said he had tried to search old records with no results.

Ms. Huber said the Clerk's office and IT were working on getting the public records portion of the City website back online, as it had been down since the Ransomware crash in 2018. She added that staff was working on digitizing Planning Department records to improve community access and search ability of records. She said that current staff was aware a lot of the history and discussion that had occurred, but that if Commissioners had anything specific they wanted to discuss, to please share them with staff by email or by coming into the office.

Commissioner Wade said she thought the recent Planning and Zoning Commissioner's training in Anchorage was worthwhile, and said it was interesting to meet a lot of Commissioners who were working on much smaller budgets throughout the state.

Commissioner Reese said he was looking forward to working on the Comprehensive Plan, he said they thought they had a good group together.

Chair Gondek said he was looking forward to it as well, and that he thought Corvus Design would produce a good product.

Ms. Huber said staff was also excited for the Comprehensive Plan revision.

## **VIII. ADJOURNMENT**

There being no further business, Chair Gondek adjourned the meeting at 7:31 p.m.